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# For Information

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## Complaints Procedure

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Adopted: 03/01/2023

Chairman: Cllr. S Houghton

Minute Ref.: 230103/6

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*Administered by Clerk and Responsible Financial Officer  
to Wiswell Parish Council.*

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# Complaints Procedure

## 1. Introduction

This complaints procedure is designed to deal with complaints made about the Council's action or perceived lack of action, or about the standard of a service, whether the action was taken, or the service provided by the Council itself acting as a body corporate, or by a person or body acting on behalf of the Council.

**Any complaint can only be processed by the Council at a properly convened meeting of either the full Council or of a committee tasked with investigating the matter.**

Any complaint that involves one of the Council's employees will be dealt with in the first instance via this complaint's procedure, and if any further action is required, then in accordance with the Council's internal employment processes.

**Please note that other bodies have responsibility for certain types of complaints:**

The table below sets out the type of 'other complaints' and who to contact.

Type of other complaint	Who to contact
Individual member's conduct alleged to breach the Code of Conduct adopted by the Council.	Ribble Valley Borough Council's (RVBC) Monitoring Officer should be contacted.
Alleged financial irregularity.	Local electors have a statutory right to object to a Council's audit of accounts (Audit Commission Act 1998 s.16). Financial irregularities are handled by the Council's own auditor or the Audit Commission.
Alleged criminal activity.	The Police

### The Procedure:

## 2. Before a properly convened meeting.

- 2.1 Any complaint about the Council's procedures or administration should be made in writing to the Clerk to the Council at 14 Longridge Road, Chipping, Preston, Lancashire, PR3 2QD.
- 2.2 If the complainant does not wish to make the complaint via the Clerk to the Council, it should be addressed to the Chairman of the Council at 12 Old Back Lane, Wiswell, Lancashire, BB7 9BS.
- 2.3 The Clerk to the Council or Chairman will acknowledge receipt of the complaint and advise when the matter will be considered by either the Council or a nominated Committee working on behalf of the Council.
- 2.4 Please note that any complaint will be treated as confidential, and that the Council is obliged to always comply with its duties under the Data Protection Act 1998 to safeguard against the unlawful disclosure of personal data.
- 2.5 The complainant will be invited to attend the meeting at which the complaint will be considered and be offered the opportunity to be accompanied by a representative, if required.

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- 2.6 Seven working days prior to the meeting, the complainant is required to provide the Council with copies of any documentation or other items on which the complaint is based.
- 2.7 The Council will provide the complainant with copies of documents it wishes to rely on at the meeting, allowing time for the complainant to read the material before the meeting.

## **3. At the meeting.**

- 3.1 The Council shall exclude the public and press whilst discussion of the matter takes place. Any decision on a complaint shall subsequently be announced at a meeting in public, whilst considering any duties to safeguard personal data as under (2.4) above.
- 3.2 The Chairman will introduce everyone at the meeting and explain the procedure to be followed.
- 3.3 The complainant will be asked to outline the grounds for the complaint, and thereafter, questions may be asked by the Clerk and members of the Council.
- 3.4 The Clerk to the Council will then have an opportunity to explain the Council's position and questions may be asked by the complainant and then members.
- 3.5 The complainant will be offered the opportunity to summarise their position.
- 3.6 The Clerk will be offered the opportunity to summarise the position on behalf of the Council.
- 3.7 The Clerk and complainant will both be asked to leave the room whilst members decide whether the grounds for the complaint have been made. If a point of clarification is necessary, both parties shall be invited back.
- 3.8 The complainant will be given the opportunity to await the outcome but if a decision is unlikely to be finalised quickly, will be advised when a decision is likely to be made and communicated to them.

## **4. After the meeting.**

- 4.1 Any decision will be confirmed to the complainant within seven working days, together with details of any further action to be taken.
- 4.2 The result of the proceedings will be reported at the next Council meeting after the appeal period has passed, ensuring that agreed confidential issues are appropriately respected.

## **5. Appeals.**

Should the complainant not agree with the decision they are entitled to appeal the decision within fourteen days of receipt of the result of the proceedings. The Councillors nominated to handle the appeal should, within twenty-one days of receiving the appeal, examine the way in which the Council dealt with the complaint. If procedures were correctly handled by the Council, then the appellant should be notified that the appeal has not been successful. If the complaint was not handled correctly, it must be referred again for consideration. The appellant should be notified of the result of the appeals process within fourteen days.